

HAWAII STATE

HOUSE OF REPRESENTATIVES

REGULAR SESSION OF 2012

MINI JOURNAL

FLOOR REMARKS TO BE INSERTED

FIFTY-FOURTH DAY

APRIL 23, 2012

OFFICE OF THE CHIEF CLERK

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*The **Mini Journal** is produced for each legislative day and shows all action which took place on the Chamber Floor, including all bills and resolutions introduced, referrals, readings, all motions and votes, and Governor's Messages and other Communications. The Mini Journal does not include verbatim floor remarks or announcements made.*

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FIFTH-FOURTH DAY

Monday, April 23, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 11:37 o'clock a.m., with Speaker Say presiding.

The invocation was delivered by Miss Emma Belatti, daughter of Representative Belatti, after which the Roll was called showing all Members present with the exception of Representatives Marumoto, Oshiro and Wooley, who were excused.

At 11:40 o'clock a.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:07 o'clock p.m.

By unanimous consent, reading and approval of the Journal of the House of Representatives of the Fifty-Third Day was deferred.

GOVERNOR'S MESSAGES

The following messages from the Governor (Gov. Msg. Nos. 239 through 241) were received and announced by the Clerk:

Gov. Msg. No. 239, dated April 20, 2012, submitting a proposed conference draft for H.B. No. 2495 to fund the supplemental agreement concerning Bargaining Units 2, 3, 4 and 8:

| | <u>FY 12</u> | <u>FY 13</u> | <u>Biennium</u> |
|----------------------------|--------------|--------------|-----------------|
| <u>Salaries and Fringe</u> | | | |
| General | \$ 69,544 | \$ 73,718 | \$ 143,262 |
| Other | 1,264 | 1,346 | 2,610 |
| Total | \$ 70,808 | \$ 75,064 | \$ 145,872 |
| <u>EUTE</u> | | | |
| General | | \$ 788,079 | \$ 788,079 |

Gov. Msg. No. 240, dated April 20, 2012, submitting a proposed conference draft for S.B. No. 2323 to fund the supplemental agreement concerning Bargaining Units 2, 3, 4, 6 and 13:

| | <u>FY 12</u> | <u>FY 13</u> | <u>Biennium</u> |
|----------------------------|--------------|--------------|-----------------|
| <u>Salaries and Fringe</u> | | | |
| General | \$ 589,194 | \$ 622,760 | \$ 1,211,954 |
| Other | 118,283 | 126,682 | 244,965 |
| Total | \$ 707,477 | \$ 749,442 | \$ 1,456,919 |
| <u>EUTE</u> | | | |
| General | | \$ 255,744 | \$ 255,744 |

Gov. Msg. No. 241, dated April 20, 2012, submitting a proposed conference draft for S.B. No. 2324 to fund the supplemental agreement concerning Bargaining Units 2, 3, 4 and 13:

| | <u>FY 12</u> | <u>FY 13</u> | <u>Biennium</u> |
|----------------------------|--------------|--------------|-----------------|
| <u>Salaries and Fringe</u> | | | |
| General | \$ 2,442,060 | \$ 2,657,201 | \$ 5,099,261 |
| Other | 12,407,007 | 13,291,394 | 25,698,401 |
| Total | \$14,849,067 | \$15,948,595 | \$30,797,662 |
| <u>EUTE</u> | | | |
| General | | \$ 5,157,835 | \$ 5,157,835 |

SENATE COMMUNICATIONS

The following communications from the Senate (Sen. Com. Nos. 769 through 784) were received and announced by the Clerk:

Sen. Com. No. 769, dated April 20, 2012, informing the House that the Senate has on April 19, 2012, reconsidered its action taken on April 19,

2012, in disagreeing to the amendments proposed by the House to the following Senate Bill and has moved to agree to the amendments, and that said bill has this day passed Final Reading:

S.B. No. 2412, SD 2, HD 2, entitled: "A BILL FOR AN ACT RELATING TO CONTRACTS."

Sen. Com. No. 770, dated April 20, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

H.B. No. 2338, Senator Kim added as Co-Chair.
HD 2, SD 1

S.B. No. 1065, Senator Kim added as Co-Chair and Senator Kouchi
SD 1, HD 1 added as conferee.

Sen. Com. No. 771, transmitting H.C.R. No. 23, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION OF STATE SUBMERGED LANDS AT LAHA'INA, MAUI, FOR MAINTENANCE AND REPAIR OF EXISTING DECK AND IMPROVEMENTS," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 772, transmitting H.C.R. No. 24, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 593 KULIOUOU ROAD, HONOLULU, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 773, transmitting H.C.R. No. 25, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 619 KULIOUOU ROAD, HONOLULU, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 774, transmitting H.C.R. No. 26, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 644 HOKIOKIO PLACE, HONOLULU, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 775, transmitting H.C.R. No. 27, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2314 10TH AVENUE, HONOLULU, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 776, transmitting H.C.R. No. 28, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 41-557 KAMANAAINA PLACE, WAIMANALO, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 777, transmitting H.C.R. No. 29, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 2949 ALA ILIMA STREET, NO. 303, HONOLULU, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 778, transmitting H.C.R. No. 30, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-031 KUAHELANI AVENUE, NO. 242, MILILANI, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 779, transmitting H.C.R. No. 31, entitled: "HOUSE CONCURRENT RESOLUTION APPROVING THE SALE OF THE LEASED FEE INTEREST IN 95-017 KUAHELANI AVENUE, NO. 321, MILILANI, HAWAII," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 780, transmitting H.C.R. No. 142, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT COVERING A PORTION

OF STATE SUBMERGED LANDS AT HONOKAWAI, LAHAINA, MAUI, FOR SEAWALL PURPOSES," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 781, transmitting H.C.R. No. 162, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE GRANT OF A FIFTY-FIVE YEAR TERM FOR A NON-EXCLUSIVE EASEMENT TO KOOLAU PROPERTIES, LLC, FOR SEAWALL PURPOSES AT SPRECKLESVILLE BEACH LOTS, WAILUKU, MAUI, AS APPROVED BY THE BOARD OF LAND AND NATURAL RESOURCES," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 782, transmitting H.C.R. No. 143, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT, COVERING A PORTION OF STATE SUBMERGED LANDS AT MAHINAHINA, LAHAINA, MAUI, FOR RUBBLE ROCK REVETMENT PURPOSES," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 783, transmitting S.C.R. No. 176, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RETURN SENATE BILL NO. 650, H.D. 1, TO THE SENATE TO RECONSIDER ACTION TAKEN," which was adopted by the Senate on April 20, 2012.

Sen. Com. No. 784, dated April 20, 2012, informing the House that the Senate has made the following changes to Senate Conferee assignments for the following bills:

S.B. No. 2927, Senator Ihara discharged as conferee and Senator SD 2, HD 1 Kouchi added as conferee.

S.B. No. 2967, Senator Kim added as Co-Chair and Senator Kouchi SD 2, HD 1 added as conferee.

On motion by Representative Chong, seconded by Representative Evans and carried, S.C.R. No. 176, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE GOVERNOR TO RETURN SENATE BILL NO. 650, H.D. 1, TO THE SENATE TO RECONSIDER ACTION TAKEN," was Adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

At 12:09 o'clock p.m. Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:10 o'clock p.m.

DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 80) was received by the Clerk and was placed on file:

Dept. Com. No. 80, dated April 19, 2012, from Hermina Morita, Chair, Public Utilities Commission, transmitting a report pursuant to HRS 269-16(d), on Docket No. 2009-0164, Hawaii Electric Light Company, Inc. – Application for Approval of a General Rate Increase and Other Related Matters.

ORDER OF THE DAY

SUSPENSION OF RULES

On motion by Representative Evans, seconded by Representative Pine and carried, the rules were suspended for the purpose of considering certain House Bills for Final Reading by consent calendar. (Representatives Marumoto, Oshiro and Tokioka were excused.)

UNFINISHED BUSINESS

Representative Chong moved to agree to the amendments made by the Senate to the following House Bill, seconded by Representative Evans and carried: (Representatives Marumoto, Oshiro and Tokioka were excused.)

H.B. No. 2656, HD 2, (SD 2)

H.B. No. 2656, HD 2, SD 2:

Representative Chong moved that H.B. No. 2656, HD 2, SD 2, pass Final Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Coffman
Rep. Ching
Rep. Takai
Rep. Ching
Rep. Giugni
Rep. Har
Rep. Awana
Rep. Takai

TO BE INSERTED: Rep. Coffman
Rep. Ching
Rep. Takai

(Submit by Thursday, April 26)

The motion was put to vote by the Chair and carried, and H.B. No. 2656, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AIR POLLUTION CONTROL," passed Final Reading by a vote of 42 ayes to 6 noes, with Representatives Awana, Ching, Giugni, Har, Morikawa and Takai voting no, and with Representatives Marumoto, Oshiro and Tokioka being excused.

At 12:16 o'clock p.m., the Chair noted that the following bill passed Final Reading:

H.B. No. 2656, HD 2, SD 2

REPORTS OF STANDING COMMITTEES

Representatives Awana and Coffman, for the Committee on International Affairs and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1793-12) recommending that S.C.R. No. 73, as amended in HD 1, be adopted.

Representative Chong moved that the report of the Committees be adopted, and that S.C.R. No. 73, HD 1, be adopted, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Cabanilla

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.C.R. No. 73, HD 1, entitled: "SENATE CONCURRENT RESOLUTION URGING THE UNITED NATIONS TO GRANT TAIWAN PARTICIPATION AS AN OBSERVER IN THE UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE CONFERENCE OF THE PARTIES," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1794-12) recommending that S.C.R. No. 137, SD 1, as amended in HD 1, be adopted.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 137, SD 1, HD 1, be adopted, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Ward

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 137, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE OFFICE OF AEROSPACE DEVELOPMENT TO DEVELOP AND PROMOTE A PARTNERSHIP IN AEROSPACE WITH THE STATE OF ALASKA TO EXPAND AND DIVERSIFY BOTH STATES' ECONOMIES AND THE UNITED STATES SPACE PROGRAM," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representatives Hanohano and Wooley, for the Committee on Hawaiian Affairs and the Committee on Culture & the Arts presented a report (Stand. Com. Rep. No. 1795-12) recommending that S.C.R. No. 109, SD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.C.R. No. 109, SD 1, entitled: "SENATE CONCURRENT RESOLUTION HONORING UNITED STATES PRESIDENT GROVER CLEVELAND FOR HIS SUPPORT OF THE HAWAIIAN MONARCHY AND EFFORTS TO PRESERVE THE HAWAIIAN KINGDOM, BY REQUESTING THE STATE OF HAWAII, CITY AND COUNTY OF HONOLULU, COUNTY OF MAUI, COUNTY OF KAUAI, AND COUNTY OF HAWAII TO NAME A STATE OR COUNTY PROPERTY IN HIS NAME, AND REQUESTING THE STATE FOUNDATION ON CULTURE AND THE ARTS TO COMMISSION, PURCHASE, OR PARTNER WITH ANOTHER ENTITY TO CREATE OR OBTAIN A WORK OF ART, WHETHER VISUAL OR LITERARY, IN HIS NAME," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1796-12) recommending that S.C.R. No. 63, SD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 63, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE AUDITOR TO CONDUCT A FISCAL AUDIT OF THE KAHOLAWE REHABILITATION TRUST FUND," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1797-12) recommending that S.C.R. No. 87, SD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 87, SD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING A REVIEW OF THE STATE'S FUNDING FOR EXISTING ENGLISH AS A SECOND LANGUAGE INSTRUCTION AND ACTIVITIES AND HAWAIIAN LANGUAGE PROGRAMS OFFERED IN HAWAII AND ANY DISPARITIES IN FUNDING FOR THE STATE'S TWO OFFICIAL LANGUAGES," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1798-12) recommending that S.C.R. No. 40, SD 1, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 40, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE RENAMING OF AND THE EXTENSION OF THE PROMPT PAYMENT TASK FORCE TO DEVELOP RECOMMENDATIONS TO ADDRESS ISSUES THAT AFFECT PROCUREMENT FOR GOODS AND SERVICES PURCHASED THROUGH NONPROFIT ORGANIZATIONS, INCLUDING HUMAN SERVICE NONPROFIT ORGANIZATIONS THAT DELIVER PIVOTAL GOODS AND SERVICES TO INDIVIDUALS, FAMILIES,

COMMUNITIES, AND OTHER SMALL BUSINESSES," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representative Oshiro, for the Committee on Finance presented a report (Stand. Com. Rep. No. 1799-12) recommending that S.C.R. No. 49, SD 1, as amended in HD 1, be adopted.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.C.R. No. 49, SD 1, HD 1, entitled: "SENATE CONCURRENT RESOLUTION REQUESTING THE DEPARTMENT OF TRANSPORTATION TO FORM A WORKING GROUP TO EXPEDITIOUSLY RESOLVE THE ISSUE OF ROADS IN LIMBO STATEWIDE," was adopted, with Representatives Marumoto, Oshiro and Tokioka being excused.

Representative Hanohano, for the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 1800-12), recommending that S.C.R. No. 155, SD 2, be referred to the Committee on Finance.

Representative Chong moved that the report of the Committee be adopted, and that S.C.R. No. 155, SD 2, be referred to the Committee on Finance, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Thielen
Rep. Ward
Rep. Ching

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.C.R. No. 155, SD 2, entitled: "SENATE CONCURRENT RESOLUTION URGING THE KAHOLAWE ISLAND RESERVE COMMISSION TO REQUIRE EACH STEWARDSHIP PROGRAM CONDUCTING ACTIVITIES ON THE KAHOLAWE ISLAND RESERVE TO OBTAIN LIABILITY AND PROPERTY DAMAGE INSURANCE AND LIST THE STATE AS AN ADDITIONAL INSURED," was referred to the Committee on Finance, with Representatives Marumoto, Oshiro and Tokioka being excused.

REPORTS OF CONFERENCE COMMITTEES

REMARKS DELIVERED: Speaker Say

Representatives Chang, Keith-Agaran and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2594, HD 2, SD 1, presented a report (Conf. Com. Rep. No. 26-12) recommending that H.B. No. 2594, HD 2, SD 1, as amended in CD 1, pass Final Reading.

In accordance with Article XVII, Section 3, of the Constitution of the State of Hawaii, consideration of Conf. Com. Rep. No. 26-12 and H.B. No. 2594, HD 2, SD 1, CD 1, entitled: "A BILL FOR AN ACT PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS," was deferred to May 1, 2012.

Representatives Chang and Har, for the Committee on Conference on the disagreeing vote of the House to the amendments proposed by the Senate in H.B. No. 2595, HD 2, SD 2, presented a report (Conf. Com. Rep. No. 27-12) recommending that H.B. No. 2595, HD 2, SD 2, as amended in CD 1, pass Final Reading.

In accordance with Article III, Section 15, of the Constitution of the State of Hawaii, action on Conf. Com. Rep. No. 27-12 and H.B. No. 2595, HD 2, SD 2, CD 1, entitled: "A BILL FOR AN ACT RELATING TO SPECIAL PURPOSE REVENUE BONDS TO ASSIST DAM AND RESERVOIR OWNERS," was deferred for a period of 48 hours.

FINAL READING

Representative Chong moved to agree to the amendments made by the Senate to the following House Bills, seconded by Representative Evans and carried: (Representatives Marumoto, Oshiro and Tokioka were excused.)

H.B. No. 1524, HD 2, (SD 2)
H.B. No. 2242, HD 1, (SD 1)
H.B. No. 2264, HD 2, (SD 1)
H.B. No. 2266, HD 1, (SD 1)
H.B. No. 2273, (SD 1)
H.B. No. 2296, HD 1, (SD 1)
H.B. No. 2429, HD 1, (SD 1)

The Chair addressed the Clerk who announced that the record of votes for H.B. No. 2242, HD 1, SD 1, had been received which indicated that the requisite number of House Conferees appointed had agreed to the amendments made by the Senate, and had cast affirmative votes to report said measure to the Floor for final disposition.

H.B. No. 1524, HD 2, SD 2:

Representative Chong moved that H.B. No. 1524, HD 2, SD 2, pass Final Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Thielen

TO BE INSERTED: Rep. Thielen
(Submit by Thursday, April 26)

The motion was put to vote by the Chair and carried, and H.B. No. 1524, HD 2, SD 2, entitled: "A BILL FOR AN ACT RELATING TO AGRICULTURAL THEFT," passed Final Reading by a vote of 47 ayes, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.B. No. 2242, HD 1, SD 1:

In accordance with the Conference Committee Procedures agreed upon by the House of Representatives and the Senate, the managers on the part of the House recommended that the House agree to the amendments proposed by the Senate to H.B. No. 2242, HD 1, on the following showing of Ayes and Noes:

Ayes, 5 (Herkes, Choy, Hashem, Tsuji and Marumoto). Noes, none. Excused, none.

Representative Chong moved that H.B. No. 2242, HD 1, SD 1, pass Final Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Thielen

TO BE INSERTED: Rep. Thielen
(Submit by Thursday, April 26)

The motion was put to vote by the Chair and carried, and H.B. No. 2242, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONTINUING EDUCATION FOR VETERINARIANS," passed Final Reading by a vote of 47 ayes, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.B. No. 2264, HD 2, SD 1:

Representative Chong moved that H.B. No. 2264, HD 2, SD 1, pass Final Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Thielen
Rep. Johanson
Rep. Ching
Rep. Fontaine
Rep. Yamashita

TO BE INSERTED:

Rep. Johanson
Rep. Yamashita

(Submit by Thursday, April 26)

The motion was put to vote by the Chair and carried, and H.B. No. 2264, HD 2, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT SECURITY," passed Final Reading by a vote of 45 ayes to 2 noes, with Representatives Ching and Thielen voting no, and with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.B. No. 2266, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2266, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INFORMATION TECHNOLOGY," passed Final Reading by a vote of 47 ayes, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.B. No. 2273, SD 1:

Representative Chong moved that H.B. No. 2273, SD 1, pass Final Reading, seconded by Representative Evans.

REMARKS DELIVERED: Rep. Yamane

TO BE INSERTED: Rep. Yamane
(Submit by Thursday, April 26)

The motion was put to vote by the Chair and carried, and H.B. No. 2273, SD 1, entitled: "A BILL FOR AN ACT RELATING TO CONCUSSIONS," passed Final Reading by a vote of 47 ayes, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.B. No. 2296, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2296, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ANIMAL WELFARE," passed Final Reading by a vote of 46 ayes to 1 no, with Representative Har voting no, and with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.B. No. 2429, HD 1, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.B. No. 2429, HD 1, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE BOARD OF AGRICULTURE," passed Final Reading by a vote of 47 ayes, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

At 12:27 o'clock p.m., the Chair noted that the following bills passed Final Reading:

H.B. No. 1524, HD 2, SD 2
H.B. No. 2242, HD 1, SD 1
H.B. No. 2264, HD 2, SD 1
H.B. No. 2266, HD 1, SD 1
H.B. No. 2273, SD 1
H.B. No. 2296, HD 1, SD 1
H.B. No. 2429, HD 1, SD 1

H.B. No. 2491, HD 1, SD 1:

By unanimous consent, action was deferred one legislative day.

SUSPENSION OF RULES

On motion by Representative Chong, seconded by Representative Evans and carried, the rules were suspended for the purpose of reconsidering action previously taken in disagreeing to amendments made by the Senate to certain House Bills. (Representatives Marumoto, Nishimoto, Oshiro and Tokioka were excused.)

RECONSIDERATION OF ACTION TAKEN

Representative Chong moved that the House reconsider its action previously taken in disagreeing to the amendments made by the Senate, and give notice of intent to agree to such amendments for the following House Bills, seconded by Representative Evans and carried: (Representatives Marumoto, Nishimoto, Oshiro and Tokioka were excused.)

H.B. No. 1695, (SD 1)
H.B. No. 1764, HD 1, (SD 1)
H.B. No. 2295, HD 1, (SD 2)
H.B. No. 2584, HD 1, (SD 1)

DISPOSITION OF MATTERS PLACED ON THE CLERK'S DESK

Representative Chong moved to agree to the amendments made by the Senate to the following House Concurrent Resolutions, seconded by Representative Evans and carried: (Representatives Marumoto, Nishimoto, Oshiro and Tokioka were excused.)

H.C.R. No. 12 (SD 1)
H.C.R. No. 143, (SD 1)
H.C.R. No. 150, (SD 1)

H.C.R. No. 12, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 12, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION DESIGNATING THE FOURTH WEEK OF JANUARY OF EVERY YEAR AS "REPRODUCTIVE RIGHTS AWARENESS WEEK," TO ENCOURAGE PUBLIC AWARENESS, CONVERSATION, AND SUPPORT FOR REPRODUCTIVE RIGHTS AWARENESS," was Adopted, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.C.R. No. 143, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 143, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION AUTHORIZING THE ISSUANCE OF A TERM, NON-EXCLUSIVE EASEMENT, COVERING A PORTION OF STATE SUBMERGED LANDS AT MAHINAHINA, LAHAINA, MAUI, FOR RUBBLE ROCK REVETMENT PURPOSES," was Adopted, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

H.C.R. No. 150, SD 1:

On motion by Representative Chong, seconded by Representative Evans and carried, H.C.R. No. 150, SD 1, entitled: "HOUSE CONCURRENT RESOLUTION DECLARING THE MONTH OF APRIL OF EACH YEAR AS AUTISM AWARENESS MONTH IN HAWAII," was Adopted, with Representatives Marumoto, Nishimoto, Oshiro and Tokioka being excused.

ANNOUNCEMENTS

COMMITTEE REASSIGNMENTS

The following measure was re-referred to committee by the Speaker:

H.B. No.

Re-referred to:

101,
HD2,
SD2

Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance

ADJOURNMENT

At 12:32 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 11:30 o'clock a.m. tomorrow, Tuesday, April 24, 2012. (Representatives Marumoto, Nishimoto, Oshiro and Tokioka were excused.)

HOUSE COMMUNICATIONS

"April 20, 2012

The Honorable Neil Abercrombie
Governor of the State of Hawaii
Executive Chambers
State Capitol
Honolulu, Hawaii 96813

Dear Governor Abercrombie,

In accordance with the provisions of Article XVII, Section 3 of the Hawaii State Constitution, written notice is hereby given of the final form of a proposed constitutional amendment, as agreed upon by the appointed conference managers on the part of the House and the Senate on this date, to be included in the final conference draft of the following bill:

H.B. No. 2594, H.D. 2, S.D. 1, C.D. 1 entitled:

"PROPOSING AN AMENDMENT TO ARTICLE VII, SECTION 12, OF THE HAWAII STATE CONSTITUTION TO ASSIST DAM AND RESERVOIR OWNERS."

A copy of the proposed constitutional amendment in its final form is attached hereto.

Respectfully,
/s/ CJ Leong
CJ Leong
Chief Clerk

Enclosures

cc: Carol Taniguchi, Senate Chief Clerk
Scott Nago, Chief Election Officer"

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the Senate to the following House Bill:

H.B. No. 2495, Rhoads/Oshiro, Co-Chrs.;
HD 1, SD 1 Ward

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bills:

H.B. No. 2290, Mizuno/Jordan, Co-Chrs.;
HD 1, SD 2 Pine

H.C.R. No. 143, SD 1
H.C.R. No. 150, SD 1

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the Speaker has this day appointed as Conferees on the part of the House for consideration of amendments proposed by the House to the following Senate Bills:

S.B. No. 2323, Rhoads/Oshiro, Co-Chrs.;
SD 1, HD 1 Ward

S.B. No. 2324, Rhoads/Oshiro, Co-Chrs.;
SD 1, HD 1 Ward

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has made the following changes to the conferees on the following measure:

H.B. No. 46, Discharged all conferees.
HD 2, SD 2

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on March 28, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 2584, HD 1, SD 1

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 3, 2012, and gives notice of intent to agree to the following House Bill:

H.B. No. 1695, SD 1

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has reconsidered its action taken in disagreeing to the amendments made by the Senate on April 12, 2012, and gives notice of intent to agree to the following House Bills:

H.B. No. 1764, HD 1, SD 1
H.B. No. 2295, HD 1, SD 2

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has this day agreed to the amendments made by the Senate and passed the following House Bills on Final Reading:

H.B. No. 1524, HD 2, SD 2
H.B. No. 2242, HD 1, SD 1
H.B. No. 2264, HD 2, SD 1
H.B. No. 2266, HD 1, SD 1
H.B. No. 2273, SD 1
H.B. No. 2296, HD 1, SD 1
H.B. No. 2429, HD 1, SD 1
H.B. No. 2656, HD 2, SD 2

House Communication dated April 23, 2012, from CJ Leong, Chief Clerk of the House of Representatives, to the Honorable President and Members of the Senate, informing the Senate that the House has agreed to the amendments made by the Senate and has this day adopted the following House Concurrent Resolutions:

H.C.R. No. 12 SD 1